

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
V.)	Case No. 14-94002
)	
MICHAEL HAYES,)	
)	
Defendant.)	

**ASSENTED-TO MOTION TO EXTEND TIME WITHIN WHICH
INDICTMENT OR INFORMATION MUST BE FILED**

The United States of America, by Carmen M. Ortiz, U.S. Attorney, and Michelle L. Dineen Jerrett, Assistant U.S. Attorney, hereby moves the Court for an Order, pursuant to 18 U.S.C. § 3161(b) and (h)(7), that extends the time within which an indictment or information must be filed in the above-captioned case until September 2, 2014.

In support of the motion the government states as follows:

1. Michael Hayes (“Hayes”) is charged by criminal complaint with possession and distribution of child pornography, in violation of 18 U.S.C. §§2252(a)(4)(B) and (a)(2), respectively.
2. Hayes was arrested and made his initial appearance before this Court on February 10, 2014. *See* 13-mj-6015-LTS. Hayes waived his right to a preliminary hearing. After a detention hearing, Hayes was released on conditions. Pursuant to 18 U.S.C. § 3161(b), the government had until March 12, 2014 to indict Hayes.
3. The government previously filed assented-to motions to extend the deadline within which to indict until April 11, 2014, next until May 9, 2014, next until June 9, 2014, and most recently until July 23, 2014 because the parties were in the process of attempting to resolve

this case short of a trial. The parties are continuing their resolution efforts. It appears that the parties may be able to resolve this case short of a trial, but the parties require additional time to work out an agreement in this matter.

4. The government has consulted with defense counsel who has agreed to this request.

5. The government submits that the delay resulting from the extension of time for filing an indictment or information serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial.

Accordingly, the government asks the Court to enter an Order, pursuant to 18 U.S.C. § 3161(b) and (h)(7), that extends the time within which an indictment or information must be filed in the above-captioned case until September 2, 2014.

Respectfully submitted,

CARMEN M. ORTIZ
UNITED STATES ATTORNEY

By: /s/ Michelle L. Dineen Jerrett
Michelle L. Dineen Jerrett
Assistant U.S. Attorney

Dated: July 21, 2014

CERTIFICATE OF SERVICE

This is to certify that I have served Oscar J. Cruz, Jr., Esq. a copy of the foregoing document by first class mail and email.

/s/ Michelle L. Dineen Jerrett
Michelle L. Dineen Jerrett
Assistant U.S. Attorney

Dated: July 21, 2014